

BILL NO. 02-46

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 02-46

Introduced by Council Member Geppi, Chenowith, Stepp and Council President Hirsch

Legislative Day No. 02-21 Date September 3, 2002

AN ACT to add new subsection 193-9, Ground-based Sparkling Devices, to Article II, Offenses Against Public Peace, Safety and Morals, of Chapter 193, Peace and Good Order, of the Harford County Code, as amended; to prohibit the discharge, possession, selling, casting or throwing of certain ground-based sparkling devices without a certain permit; to establish certain fines for the violation of this subsection; and generally relating to ground-based sparkling devices.

By the Council, September 3, 2002

Introduced, read first time, ordered posted and public hearing scheduled

on: October 8, 2002

at: 7:00 P.M.

By Order: James E. Massey, Jr., Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on October 8, 2002, and concluded on, October 8, 2002.

James E. Massey, Jr., Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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Section 1. Be It Enacted By the County Council of Harford County, Maryland, That new Subsection 193-9, Ground-Based Sparkling Devices, be, and it hereby, added to Article II, Offenses Against Public Peace, Safety and Morals, of Chapter 193, Peace and Good Order, of the Harford County Code, as amended, all to read as follows:

Chapter 193. Peace and Good Order

Article II. Offenses Against Public Peace, Safety and Morals.

SECTION 193-9. GROUND-BASED SPARKLING DEVICES.

A. IT IS UNLAWFUL FOR ANY PERSON TO DISCHARGE, POSSESS, SELL, CAST, OR THROW GROUND-BASED SPARKLING DEVICES THAT ARE NON-AERIAL AND NON-EXPLOSIVE, WHETHER OR NOT THEY ARE LABELED IN ACCORDANCE WITH THE REQUIREMENTS OF THE U.S. CONSUMER PRODUCT SAFETY COMMISSION.

B. THIS SECTION SHALL NOT BE CONSTRUED TO PROHIBIT THE POSSESSION OR DISCHARGE OF GROUND-BASED SPARKLING DEVICES THAT ARE NON-AERIAL AND NON-EXPLOSIVE PURSUANT TO A VALIDLY ISSUED PERMIT FOR THE DISPLAY OF GROUND-BASED SPARKLING DEVICES BY THE STATE FIRE MARSHAL.

C. ANY PERSON POSSESSING, DISCHARGING, THROWING OR CASTING A GROUND-BASED SPARKLING DEVICE WHICH IS NON-AERIAL AND NON-EXPLOSIVE IN VIOLATION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION SHALL BE

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1 PUNISHED FOR EACH OFFENSE BY A FINE OF NOT MORE THAN
2 \$250.

3 D. ANY PERSON SELLING A GROUND-BASED SPARKLING DEVICE
4 WHICH IS NON-AERIAL AND NON-EXPLOSIVE IN VIOLATION OF
5 THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON
6 CONVICTION SHALL BE PUNISHED FOR EACH OFFENSE BY A FINE
7 OF NOT MORE THAN \$1000.

8 Section 2. And Be It Further Enacted, That this Act shall take effect 60 calendar
9 days from the day it becomes law.

EFFECTIVE: December 10, 2002

*The Council Administrator does hereby certify that
fifteen (15) copies of this Bill are immediately
available for distribution to the public and the press.*

James E. Massey, Jr.
Council Administrator

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HARFORD COUNTY BILL NO. 02-46
Brief Title) Sparkling Devices--Prohibition

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

James E. Massey, Jr.
Administrator

[Signature]
President

Date 10.8.02

Date 10/8/02

BY THE COUNCIL

Read the third time.

Passed: LSD 02-24 (October 8, 2002)

Failed of Passage: _____

By Order _____

James E. Massey, Jr. Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 10th day of October, 2002, at 4:00 p.m.



James E. Massey, Jr. Council Administrator

BY THE EXECUTIVE

James M. Harkins
COUNTY EXECUTIVE

APPROVED: Date Oct. 11, 2002

BY THE COUNCIL

This Bill No. 02-46, having been approved by the Executive and returned to the Council, becomes law on October 11, 2002.

James E. Massey, Jr., Administrator

EFFECTIVE DATE: December 10, 2002

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